

# Part 5 Proving Continuing Eligibility

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## 69. How long will I get benefits before I have to reapply?

Once DTA decides you are eligible for food stamp/SNAP benefits, it will approve or “certify” you for a certain number of months. This is called your certification period. There are different rules for different groups:

- If you are receiving Bay State CAP benefits, see **Question 4**, you will be certified for three years.
- Households whose members are all elderly or disabled and have stable income (such as SSI or Social Security), are certified for up to 24 months. 106 C.M.R. § 364.700(B).
- All other households should be certified for 12 months, with the following exceptions:
  - expedited benefits (1 - 2 months)
  - transitional benefits alternative (TBA) (5 months)
  - semi-annual reporting cases (USR) (6 months)
  - non-citizens awaiting verification of work history quarters from SSA (6 months)

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The 12 month certification period requirement now includes self-employed households, households under the FS/Work Program and FS/Employment Training Program, and households with unstable circumstances (e.g. awaiting a source of income such as U.I.).

When your certification period ends, your food stamps/SNAP will stop unless you reapply or “recertify.” About 45 days before the end of your certification period, DTA will send you a notice telling you that you need to complete your recertification within 30 days to continue receiving benefits without interruption. You will need to contact DTA to set up another interview, although this interview can take place over the telephone. See **Question 6**. Households that are not on semi-annual reporting will need to give DTA proofs of factors that are subject to change, such as income. Households that are on semi-annual reporting will be sent a written form to send back to DTA.

If you recertify 15 days or more before the end of your certification period, DTA must make sure your benefits continue on the usual schedule without interruption. If your deadline to recertify is after the end of your current certification period, you will get benefits for the full month once you are recertified, not just a portion of the month. 106 C.M.R. §§ 366.300-366.340.

If you do not get all of your proofs in before your recertification deadline, and your case closes because of the missing proofs, DTA should reopen your case so long as a) you started recertifying before the deadline and b) you get your proofs in within 30 days of the date your case closed. You do not have to start a new application.

***Additional Policy Guidance:*** •DTA guidance instructing workers to extend certification periods as long as possible; adds self-employed, FS/ET and FS/WP and “unstable” households to the 12 month certification periods. F.O. Memo 2008-14 (March 19, 2008) • Recertification notice to include a paper re-application form for household to complete and return to DTA. F.O. Memo 2008-47 (August 26, 2008) • Terminated benefits must be reopened if missing verifications received. F.O. Memo 2006-20 (April 21, 2006).

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## 70. When do I have to report changes?

There are different reporting rules for different households.

- Some households only have to report every six months unless their income goes over the gross income limit for the household. This is called semi-annual reporting. See **Question 71**.
- Some TAFDC households have to report every month. This is called monthly reporting. 106 C.M.R. § 366.110(D). The report information is used to calculate their food stamp/SNAP benefits as well as TAFDC benefits. See **Question 72**.
- Most households that have left TAFDC continue to receive food stamp/SNAP benefits and don't have to report at all for the first five months. This is called the Transitional Benefits Alternative. See **Question 73**.
- Bay State CAP households must follow SSI reporting rules and report changes to Social Security within ten days after the end of the month in which the change happens. See **Question 4**.
- If you are not on semi-annual reporting, monthly reporting, the Transitional Benefits Alternative, or Bay State CAP, you have to report changes that affect food stamp/SNAP benefits within ten days after you learn about the change. This is called change reporting.
- In some cases DTA receives information about a change due to returned mail, information from the Department of Revenue regarding income or a new job, un-reported unearned interest income through Internal Revenue Service, a Registry of Motor Vehicle check or other sources. As a condition of receiving benefits, DTA checks your information with other government sources available to them and your case may also be subject to a random quality control reviews by USDA.106 C.M.R. § 360.600. If DTA receives information that was

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not already reported by you, they should contact you to discuss before denying or terminating your benefits.

***Additional Policy Guidance:*** • If the post office returns mail to DTA and BEACON does not show a new address, the worker must *not close* case until efforts are made to reach client by phone, no additional verifications needed if client has not moved. DTA must use new address listed on return mail label to try to reach client. F.O. Memo 2008-22 (April 30, 2008) • Instructions on IRA matches for unearned interest income done through the IRS data match and handling of discrepancies centrally. DTA must contact the household for discrepancies, request verifications and reopen a closed case if verification is received after date of closing. F.O. Memo 2008-21 (July 18, 2008), F.O. Memo 2007-37 (Aug. 1, 2008).

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# 71. What is semi-annual reporting?

Most homeless households as well as most households with income (or a history of income) are assigned to semi-annual reporting unless everyone in the household receives cash assistance. If you are assigned to semi-annual reporting, you only need to report changes in income, expenses or household members every six months. The one exception to this rule is that you must report *during the six-month period* if your income, including income of anyone who moves into your household, goes over the gross income limit for your household. 106 C.M.R. § 366.110 (C). See **Appendix B, Charts 2 and 3** for the gross income limits by household size. You must report this change within ten days following the month that the change becomes known to you. If you qualify for semi-annual reporting, DTA will send you a notice explaining the rule and what level income you must report.

Although you do not have to report changes that do not put your income over the gross income limit when you are on semi-annual reporting, you may get more benefits if you voluntarily report a decrease in income, increase in household size, or possible change in deductible expenses. If

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you are not sure whether a change will increase your benefits, it is better to report. DTA will not reduce your benefits unless the change puts your income over the gross income limit.

Before your six months ends, DTA will send you a form to recertify (reapply) for food stamp/SNAP benefits. This form will be preprinted with the information in DTA's records. You must update the form with current information and send it back to keep your food stamp/SNAP benefits. You will also need to have an interview with your DTA worker, although this can take place over the telephone. See **Question 6**. If you have not had any changes since your last recertification, you should not have to give DTA any additional proofs but you still need to send DTA the recertification form. If your income or expenses have changed, you will need to give DTA new proofs. If your case is not recertified because your proofs were sent in late, but you send them in within 30 days of the date that your case closes, your case should be reopened.

You will not qualify for semi-annual reporting if:

- One of your household members is on TAFDC and must submit monthly income reports or is getting TAFDC under a time-limit extension.
- Your household is currently getting benefits under the Transitional Benefits Alternative (TBA). You should be put on semi-annual reporting at the end of your TBA period.
- Someone in your household is age 18 to 50 and subject to the work requirements for able-bodied childless individuals.
- All adult household members are elderly or disabled with no earned income, or someone in the household is self-employed, or you have never had any income and you are not homeless.

See 106 CMR § 366.110( C).

**Note:** If your income increases during your six month certification period, but it does not exceed the gross monthly income limit for your household,

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your benefits will continue at the same level and there is no food stamp/SNAP overpayment. See **Question 83**.

***Additional Policy Guidance:*** • BEACON generated semi-annual report form serves as the recertification notice. Transitions FYI, September 2005. • Semi-annual (USR) form is preprinted with client information in DTA’s records. Transitions Hotline Q&A, September 2005 • New verifications are not required if *no changes* reported in household expenses at USR time. If a change in expenses is required but DTA receives no proofs, the expense will be zeroed out in the calculations. Transitions Hotline Q&A, November 2005 • Household expenses must be verified at initial application and recertification (vs semi-annual report time), even if no change. Lack of verification will trigger zero out of deduction even if no change. Transitions FYI, October 2005. • Applicant awaiting decision on Unemployment Insurance claim should still be put on semi-annual reporting, worker should open the case without counting the UI income if decision on UI claim not made by day 29. Transitions Hotline Q&A, April 2004.

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# 72. What is monthly reporting?

If you are a TAFDC recipient and someone in your household has income from a job or worked in the past two months, you may have to turn in a report form every month to keep getting cash and food stamp/SNAP benefits. 106 C.M.R. §§ 366.110(D), 702.900-702.980. Your monthly food stamp/SNAP and TAFDC benefits are then calculated based on the income reported on these forms. There is no monthly reporting in food stamps/SNAP if you are not getting TAFDC.

DTA mails these forms directly to you. They have to be filled out completely and turned in with pay stubs within 20 days of when they were mailed to you for you to keep getting your benefits on time. Be sure to ask for help from DTA if you do not understand the forms.

On monthly reporting, DTA adds up exactly how much income you got from sources other than TAFDC during a period called the “budget month.” The budget month is a four- or five-week period (starting on a

Sunday and ending on a Saturday) two months before your payment month. DTA then uses the income reported for the budget month, plus your TAFDC in the payment month, to determine your food stamp/SNAP benefit in the payment month. The payment month is two months later than the budget month. 106 C.M.R. §§ 366.110(D), 702.900-702.980.

If you get an extra TAFDC payment to fix a previous underpayment (for example, in May DTA gives you an extra TAFDC payment because you did not get you the correct amount in March), DTA will not count the amount of the extra payment as income. It will be treated as an excluded lump sum payment.

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## 73. What are “TBA” benefits and reporting rules for former TAFDC recipients?

Households where every member was getting TAFDC benefits and the TAFDC benefits stopped may get food stamp/SNAP benefits for five months and do not have to report at all during the five months. This is called the Transitional Benefits Alternative or TBA. See 106 C.M.R. § 365.190

Under TBA, a family that loses TAFDC—due to earnings, voluntary case closing or most reasons other than a TAFDC program sanction—will automatically get five months of food stamp/SNAP benefits. The amount of food stamps/SNAP you get will be calculated using *only* the income you had in the month your TAFDC benefits stopped, *excluding your TAFDC cash grant*. DTA will also **not count new income** you receive after your TAFDC case closes, such as new earnings or child support.

**Example:** Susan Stroe receives \$433 monthly in TAFDC for herself and her two children, plus \$300 in Social Security Survivors Benefits. They have no deductions other than the standard deduction. Their food

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stamp/SNAP benefits are \$286 a month. Ms. Stroe starts working at a job that pays \$800 a month and asks DTA to close her TAFDC case. Under TBA, DTA recalculates Ms. Stroe's benefits counting only the \$300/month in Social Security Survivors Benefits. DTA excludes the terminated TAFDC income and excludes the new income from her new job. Their benefits will be \$416 a month for five months.

You are *not* required to report any changes in your household during this five month period. However, if you do report a change that could increase your benefits (such as loss of income or the addition of a household member), DTA is required to act on that change and recertify your benefits to the higher amount. You will no longer be treated as a TBA household. See 106 C.M.R. § 366.110(B).

Once the five-month TBA period ends, DTA will switch your household to semi-annual reporting. See **Question 71**.

***Additional Policy Guidance:*** • For a list of the TAFDC case closing reasons which result in TBA benefits, see BEACON User's Guide Appendix B and Transitions Hotline Q&A, June 2006 • For households that report a change during the TBA period that triggers an increase in benefits, they are no longer TBA households, Transitions Hotline Q&A, March 2005.

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# 74. When do I have to report changes if I am on change reporting?

Households not on semi-annual reporting, monthly reporting, the Transitional Benefits Alternative or Bay State CAP have to report changes that affect food stamp/SNAP benefits within ten days of the date the change becomes known to the household. This includes changes in income (of earned income of more than \$100 or unearned income of more than \$50 per month); changes in source of income; and changes in shelter costs, household composition, and child support payments. 106 C.M.R. § 366.110(A). You only have to report these changes if they might affect

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your eligibility for or the amount of your benefits (if you are not sure, it is safer to report). If you move, it is important to tell DTA so that you receive mail from them about your benefits and next recertification.

If you are on change reporting, you can report a change by mailing or faxing a change report form or other letter, telephoning your DTA worker or going to DTA. Be sure to keep a copy of what you send and make a note about any telephone call or meeting. Ask for a receipt if you leave change information at the DTA office. If you fail to report a change that would result in a decrease in benefits, you may face overissuance and fraud charges. See **Part 7**.

Bay State CAP households have to report changes that would affect their SSI to Social Security no later than ten days after the end of the month in which the change occurred. Changes that must be reported to Social Security include changes in income or resources, a change of address, and a change in marital status or living arrangement.

***Additional Policy Guidance:*** A household can leave the state temporarily (family visit, vacation) without eligibility as long as the household plans to return to Massachusetts. Transitions Hotline Q&A, April 2003.

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# 75. Will my benefits continue if I stop getting cash welfare or SSI?

Your food stamps/SNAP benefits should not stop when you stop getting cash assistance or SSI. If everyone in your household was receiving TAFDC, you may qualify for the Transitional Benefits Alternative. See **Question 73**. If someone in your household stops getting EAEDC or SSI or you do not qualify for the Transitional Benefits Alternative, then

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- DTA will recertify your food stamps/SNAP based on the new circumstances if it has enough information and you are still eligible for benefits, *or*,
- DTA will send you a notice closing your food stamp/SNAP case the month after the month of the notice, and will tell you that you need to recertify (reapply) for benefits. 106 C.M.R. § 365.170(B), (C). The notice DTA sends you must also say that if you recertify (reapply) 15 days before your benefits stop, your benefits will continue without interruption. You may be able to recertify by mail. You may be subject to different work rules if you are no longer receiving cash assistance. See **Questions 346 - 38**.

### ***Advocacy Reminder:***

- ✓ If your food stamp/SNAP benefits stop for some reason (maybe you did not recertify on time), you can reapply at any time.

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## **76. How soon should DTA increase my benefits if my income drops, expenses go up, or a person joins my household?**

If your food stamp/SNAP benefits are supposed to go up because of a change in your household circumstances, DTA must increase your benefits by the next month after the date you reported the change to the Department. 106 C.M.R. § 366.120(B).

You will need to give DTA proofs of your new income, expenses, or other changes. However, DTA should not wait until it receives these proofs to increase your food stamps/SNAP. 106 C.M.R. § 366.120(D). You will need to give DTA the proofs before you are scheduled to receive your

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benefits for the second time, or else DTA will reduce your benefits back to the original amount again.

For example, if you usually receive your benefits on the 1<sup>st</sup> of the month, and on December 18<sup>th</sup> you tell DTA that your income is going down by \$40 a month, your January 1<sup>st</sup> benefits should be higher. You will need to give DTA proof of your change in income by the middle of January, or else your February food benefits will go down again. If you didn't tell DTA about your change in income until December 26, your benefits would not increase until February.

You may be eligible for supplemental food stamp/SNAP benefits in addition to increasing your ongoing benefit amount in the future. If your net countable income after deductions drops to zero, you are eligible for supplemental food stamps/SNAP in the same month you report the change. 106 C.M.R. § 366.120(A)(1).

If you report a new household member or a change in income of \$50 or more, DTA must adjust your food stamp/SNAP benefits effective with the first payment you are due ten days after you reported the change. If you report the change after the 20<sup>th</sup> of the month and it is too late in that month to increase the next month's payment, DTA must authorize supplemental food stamps/SNAP so that you get the increase by the tenth day of the following month or on your normal issuance date, whichever is later. 106 C.M.R. § 366.120(A)(2).

If you receive TAFDC and are on monthly reporting and your income from any source other than TAFDC stops, the income from the terminated source should not be counted in figuring your food stamps/SNAP. If you report the change fewer than ten days before you are supposed to get your next benefit payment, DTA may count the income in figuring your regular payment that month, but must issue you extra food stamps/SNAP for that month. 106 C.M.R. § 366.110(D).

***Advocacy Reminders:***

- ✓ Even if you are on semi-annual reporting or the Transitional Benefits Alternative and do not have to report, you should report changes that might increase your benefits
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## **77. How soon will my benefits go down due to changes in my income, expenses, or household size?**

If your food stamp/SNAP benefits will go down or end because of a change in your circumstances, in most cases DTA should send you a written notice within ten days of the date that you reported the change, and give you at least ten days notice that your benefits will change. Your benefits will not be decreased or stopped until this ten day period has finished. 106 C.M.R. § 366.120(C).

**Example:** Mary Jones usually receives her food stamps/SNAP on the 2<sup>nd</sup> of the month. On November 15, she reports an increase in income. By November 25, DTA must send her a written notice that her benefits will go down. DTA cannot reduce her benefits until December 5, when ten days will have passed. Since Mary will already have received her December food stamps/SNAP on December 2, her benefits will not be decreased until January.

Sometimes, DTA does not have to give you ten days notice of a change. See 106 C.M.R. §§ 366.210, 106 C.M.R. 366.215. In these situations, your benefits can be reduced or ended right away. 106 C.M.R. § 366.120(C). You still have the right to appeal. See **Part 6**.